

REMARKS

This Response was originally filed on April 15, 2009. In the Advisory Action of April 23, 2009, the Examiner indicated that the response of April 15, 2009 raises new issues that would require further consideration. Consequently, the Response was not entered. The Applicant hereby resubmits the Response along with a Request for Continued Examination. The Applicant requests the Examiner to consider the amendments and arguments set forth below.

Claims 1-30 are pending in this application. Claims 1, 4-7, and 9-17 have been previously withdrawn from consideration. This paper is responsive to the Final Office Action of October 16, 2008.

In the Response to Arguments, the Examiner does not address the Applicant's arguments regarding Hickey and the "notifying" limitation. In particular, the Applicant argues that although the indicator of whether the message has been approved by another approver can be conveyed in a number of ways, the embodiment recited by claim 18 necessarily excludes doing so by accessing a common electronic mail box to evaluate the approved/rejected state of the e-mail, as taught by Hickey. Claim 18 does not recite using a common mail box. Claim 18 requires routing the electronic message (that is intended for the first user) to the at least two approvers, which is substantially different from the system of Hickey.

The Applicant believes that for at least these reasons, claim 18 should be allowable. In order to expedite prosecution, the Applicant amends claim 18 to highlight the distinction set forth above. In particular, the Applicant amends the "notifying" limitation to recite:

once the electronic message is approved or rejected by one approver, notifying the at least one other approver of a changed status for the electronic message wherein the notifying does not require the approver being notified to access the electronic message from a common mailbox.

The Applicant also amends independent claim 26 to include this language. As amended, claims 18 and 26 are clearly distinct from Hickey and Lu, alone or in combination, so those claims should be allowable.

In the Reasons for allowance, the Examiner cites Lu paragraphs [0022], [0023] and [0024] as teaching the “determining” limitation of claim 18. The Examiner specifically points to paragraph [0023] combined with paragraph [0022] (which describes human approvers) as implying that what is automatically configured may be done manually as well. However, paragraph [0023] of Lu only describes the use of a predetermined policy in connection with the automatic component of the screening:

“In another implementation, the MS server 140 may compare the electronic address of sender 110 to the list of approved or blocked senders 110 and, based on the comparison, either forward the message, reject the message, or allow supervisory recipient 160 to screen this message of senders 110 personally, or otherwise. Approval may include a manual procedure performed by supervisory recipient 160 such as entering a command or pressing a key.”

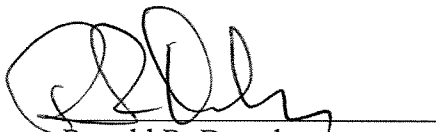
The list of approved or blocked senders 110 thus provides the predetermined policy. Lu does not provide any other predetermined policy. Based on the results of the screening with respect to the predetermined policy, the supervisory recipient may or may not be allowed to screen the messages. This conditional screening by the supervisory recipient may include a manual procedure. However, the screening that is conditionally done by the supervisory recipient is not limited by the predetermined policy (i.e., the list of approved or blocked senders) – the predetermined policy is only used by the automatic screening upon which the screening by the supervisory recipient is conditioned. In contrast, claim 18 requires, “determining whether the electronic message is approved or rejected by applying a predetermined policy toward approval or rejection actions by the at least one of the approvers presented with the electronic message;”. Lu simply does not teach or suggest limiting the supervisory recipient’s screening by any predetermined policy.

In view of the above amendment, and at least the arguments presented herein, applicant believes the pending application is in condition for allowance. If the Examiner does not agree that the claims as amended are allowable, the Applicant requests a telephone interview to discuss the Examiner’s reservations.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-0219, under Order No. 0113715.00134US1 from which the undersigned is authorized to draw.

Respectfully submitted,

Dated: June 11, 2009

A handwritten signature in black ink, appearing to read 'Ronald R. Demsher', is written over a horizontal line.

Ronald R. Demsher
Registration No.: 42,478
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)